

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

BRADBURY P , BURNS P , GiaQUINTA P ,
HENRY P , LONG P , REDD P ,
SCHMIDT P , STIER P , TALARICO P ,

COUNCILMEMBER: _____

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION,
APPROVED AND PUBLISHED.

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its _____ Regular _____ Session, held on _____ Tuesday _____ the _____ 12th _____ day of _____ April _____, 19 88, that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances, and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this _____ day of _____, 19 _____,

SANDRA E. KENNEDY, CITY CLERK



The City of Fort Wayne

LAND USE MANAGEMENT

Division of Community Development & Planning

29 March 1988.

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

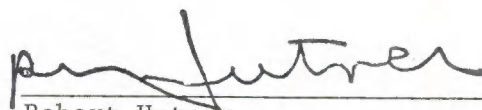
Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-87-04-15

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
29th day of July 1987.


Robert Hutner
Secretary

FACT SHEET

Z-87-04-15

BILL NUMBER

**Division of Community
Development & Planning****BRIEF TITLE**

Zoning Ordinance Amendment
From RA to POD

APPROVAL DEADLINE**REASON****DETAILS****Specific Location and/or Address**

5015 North Bend Drive

Reason for Project

Professional Office Development

Discussion (Including relationship to other Council actions)21 April 1987 - Public Hearing

See Attached Minutes of Public Hearing.

27 July 1987 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation with the condition that the petitioner provide a recordable document agreeing to the following:

- 1) Petitioner shall grant a 40 foot wide ingress/egress easement along the front of the subject property, to be used as a frontage road;
- 2) Petitioner shall construct and maintain such frontage road to applicable City standards;
- 3) Any driveways shall be subject to review and closure by the owner at the discretion of the Traffic Engineering Department;
- 4) Any obstructions to the frontage road, including sight obstructions, shall be removed at the owners expense.

POSITIONS**RECOMMENDATIONS****Sponsor**

City Plan Commission

Area Affected

City Wide

Other Areas

**Applicants/
Proponents****Applicant(s)**

Steven Hobbs

City Department

Other

Opponents**Groups or Individuals**

Westmoor Neigh Assn

Ben Eisbart, Councilman

Basis of Opposition**Staff
Recommendation**☒ For ☐ Against

Reason Against

**Board or
Commission
Recommendation****By**☒ For ☐ Against
☐ No Action Taken☐ For with revisions to conditions
(See Details column for conditions)**CITY COUNCIL
ACTIONS
(For Council
use only)**

<input type="checkbox"/> Pass	<input type="checkbox"/> Other
<input type="checkbox"/> Pass (as amended)	<input type="checkbox"/> Hold
<input type="checkbox"/> Council Sub.	<input type="checkbox"/> Do not pass

DETAILS

The document has been submitted and approved by the City attorney.

Of the seven (7) members present five (5) voted in favor of the motion, one (1) voted against and one (1) did not vote. Motion carried.

POLICY/ PROGRAM IMPACT

Policy or
Program
Change

☐

No

☐

Yes

Operational
Impact
Assessment

(This space for further discussion)

Project Start

Date 20 March 1987

Projected Completion or Occupancy

Date 29 March 1988

Fact Sheet Prepared by
Patricia Biancaniello

Date 29 March 1988

Reviewed by

Date

2/27/88

Reference or Case Number

Bill No. Z-87-04-15 - From RA to POD

Public Hearing - April 21, 1987

Gary Cappelli, attorney for the petitioners stated that he represented the owner as well as the proposed developer of the project. Mr. Cappelli stated that the petitioner asked that the real estate, which consists of approximately 8/10 ths of an acre, and is served by two accesses one on Jefferson and one on North Bend Drive. The petitioner is requesting the change of zoning in order to convert the existing residential structure located on the premises to a real estate office. He stated that the existing structure is a 1700 sq ft residential building. The development plan contemplates the remodeling of this structure only. He stated the only additional space would be the increase of the frontage of the building by approximately 1 ft, to enable a window to be inserted. Mr. Cappelli stated that they believe that this requested use is a perfect transitional use for this area, between existing residential and existing and contemplated commercial development along this area. He stated that they have gone over the staff comments and had no problems with the exception of the following: a 40 foot wide ingress/egress easement along the front of subject property, to be used as a frontage road - He proposed to the Plan Commission that they not adopt that condition, but that the developer would be agreeable in contributing to the cost of an acceleration and a recovery lane for the main entrance of entrances that are ultimately inserted in this 4/10ths of a mile distance along West Jefferson

Minutes
21 April 1987

Bl. He stated as he understood this whole area is targeted for professional offices and soon the frontage road will be installed and soon somewhere along that line there will be placed one or more primary access points. He stated that the developer understands that his direct access to W. Jefferson Bl may be terminated and hooked up with the frontage road and he is agreeable with that concept and has also agreed to dedicate a 40 foot strip along the front of the property and to install at his expense, when required, this frontage road to link up the entire complex. He stated a second exception to the staff recommendation is the developer's responsibility to install at his sole cost a traffic signal along this area when the warrants require. He stated obviously one is not needed now and this is the only office development occurring in this area at that time. He stated that this is contemplated to be a professional office area and somewhere along the line a traffic signal may be required at the main access point. He stated that the developer does agree to contribute to his pro-rated share of the cost, design and installation of that traffic light when it is required, pro-rated on some reasonable basis with all of the other office uses that come on line here. He stated that he objects to having to put in a traffic signal at his sole cost and expense if he is only developing 205 foot frontage on West Jefferson Blvd. He stated thirdly, they did not concur with the recommendation on signage made by staff. He stated that the planned office development ordinance makes certain specifications as to signage in this kind of a development. He stated that the Plan Commission has the authority to waive those restrictions. He stated that they would like permission to have a free standing I D Sign, but limited to a monument sign of no higher than 4 feet in height identifying the site until such time as the whole area is developed, one access road is put in the frontage road is extended, then the developer agrees to remove that freestanding I D Sign and place a sign in conformity with the Sign Ordinance on the face of his building and also have his name added to the I D Sign that identifies the entire complex.

Herman Friedrich questioned what was on the property immediately to the east of the property in question.

Mr. Cappelli stated there is no business there presently but there is a proposed medical facility planned for that property. He stated that it is an empty lot presently.

Steve Smith stated that one of the staff recommendation is that the existing North Bend Drive access should be closed.

Minutes
21 April 1987

Mr. Cappelli stated that they concur with that recommendation.

John Shoaff questioned what they intended to do with the existing trees along the property.

Mr. Cappelli stated that there are 19 existing trees on the property and only 2 of those will be removed and that is in the parking lot area. He stated all of the trees will remain and additional landscaping will be added. He stated that under the POD ordinance it is required that a 20 foot side yard be maintained plus 10 feet for each additional story of the structure. He stated that this is a 1 1/2 story structure. He stated that would dictate that the parking lot be set back 25 feet. He stated that they are asking that the setback requirement be waived and that the staff has recommended that it be waived.

Baron Biedenweg questioned if the garage which is on the property would be retained.

Mr. Cappelli stated that the garage will remain.

The following people spoke in opposition to the proposed rezoning and development plan:

Lynn Shultz, 5022 North Bend Drive
Paul Fairfield, 5128 North Bend Drive
Diane Noble, President of the Westmoor Community Association
Ben Eisbart, Councilman for the 4th District
Fred Hunter, Address Not Given
Janet Lepper, 4932 North Bend Drive

The major complaints were the concerns over the increase in the traffic at this intersection. It was also felt that this business development have a deteriorating effect on the residences in the area. It was also felt by the remonstrators that an overall development plan for West Jefferson should be developed by the Plan Commission so that the area is not piecemealed and that they would have an idea of what type of commercial uses would be allowed, be it restaurants, or professional offices.

Mr. Shultz specifically felt that the residents were not well enough informed of what was going on in the area not only with this development but with the whole of Jefferson Bl. He felt that the request should be tabled until the residents were afforded detailed information on the project.

Minutes
21 April 1987

Mr. Eisbart stated that he felt that a traffic count was needed at this intersection and that the request should be tabled until such count was accomplished. He stated that there was also a unique difference with the request because this was the first piece of property that interfaces a neighborhood association.

Ms. Noble also turned in a petition in opposition to the rezoning with 179 signatures.

Edith Kenna questioned that when the Plan Commission last year voted on a policy change to allow offices along U.S. #24 have we ever voted on that as an amendment to the Comprehensive Plan, which then would have allowed the public to know more about this policy.

V.C. Seth stated that it was not voted as an amendment to the Comprehensive Plan. He stated that even then it would not be publicized and people do tend to forget.

Edith Kenna questioned if there would have been a public hearing on an amendment to the Comprehensive Plan.

V.C. Seth stated if it had been an amendment to the Comprehensive Plan there would have been a public hearing.

Edith Kenna stated that the Commission should consider a formal amendment to the Comprehensive Plan. She stated if we are going to have so many requests for rezonings on U.S. #24, the neighbors will continue to come up with the same question as Mr. Shultz regarding the Plan Commission policy for development in this area. She stated that this would give people an idea of what controls are being placed on the area.

Gary Cappelli, in rebuttal stated that people in opposition were concerned with the "domino theory of planning". Mr. Cappelli stated that this is one of the very basic tenets of land use planning. He stated that it goes by another name and that is "adjacent growth strategy". He stated that is what happens because they try to avoid the hopscotch of rezonings. He stated that there has been testimony about the changing character of this area. He stated that this is no longer suitable for single family residential use. He stated that the character of the area has changed over the years. He stated he was aware that it was natural for people to resist this type of change. He stated it was up to the Commission however to decide what is the most logical, transitional use that maintains some compatibility with the surrounding character of the commercial area and the

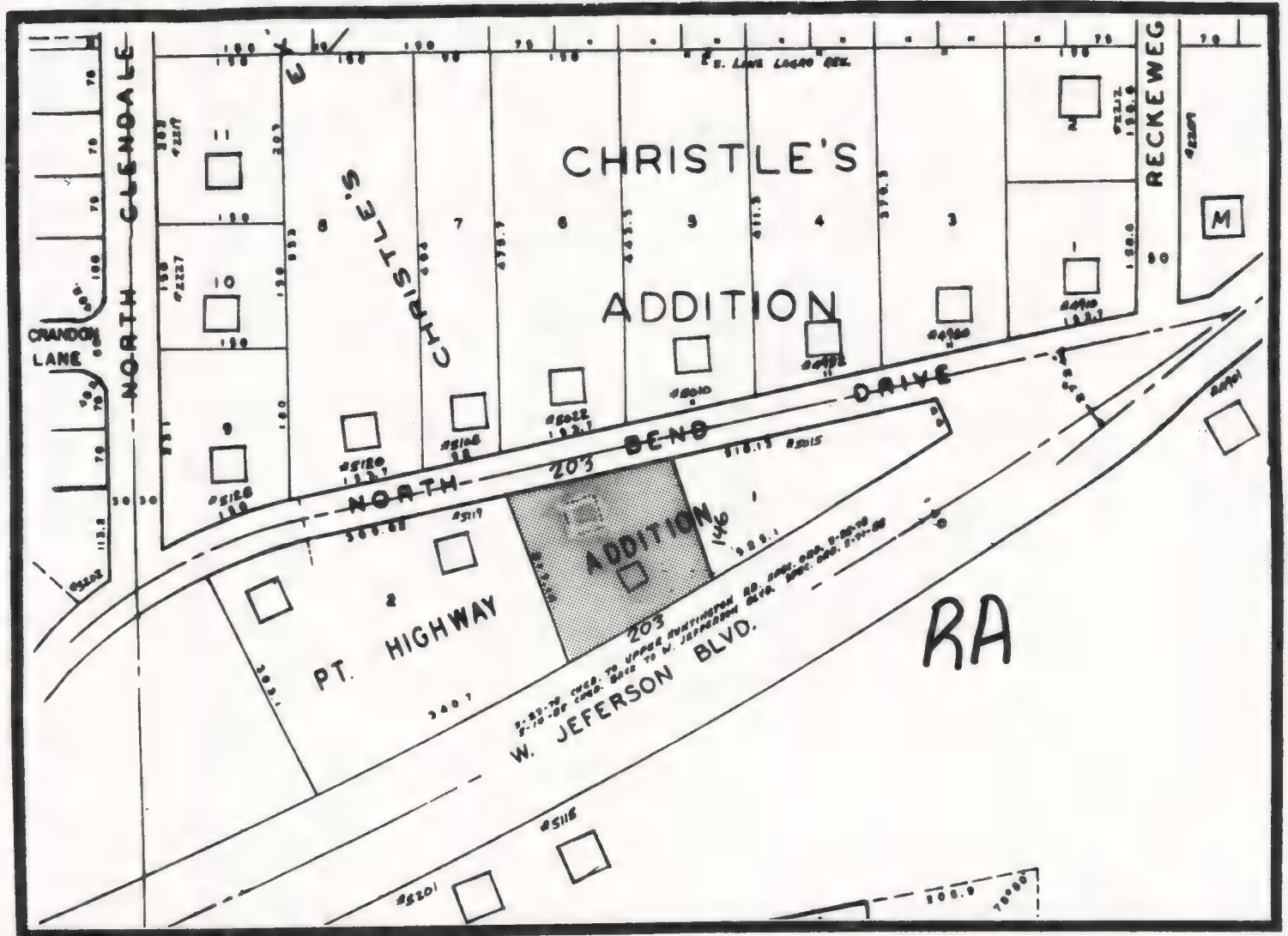
Minutes
21 April 1987

residential areas. He stated that there was a great deal said about the Commission not planning. He stated that he could assure them that was not true. He stated that the staff is very, very active in planning. He stated that this area well suited for planned office development. He stated that he wanted to rebut a couple of things in so far as lack of information is concerned. He stated that he has supplied the Westmoor Neighborhood Association with not only a copy of the site plan but also with a copy of the rendering. He stated that Mr. Shultz also had copies of the site plan and rendering. He stated they attempted to contact people along North Bend Drive and stated they were successful in talking to 4 residents. He stated that the developer has not tried to keep this a secret. He stated that they are asking the Commission to rezone this property from residential to something that is compatible with the existing area. Mr. Cappelli also pointed out that West Jefferson is a 4-lane divided highway and that is why it is being commercially and professional developed along there. He questioned if this road of all roads cannot hold the traffic associated with this kind of use then what roads would the Commission expect in the community to do so. He stated he felt that this road can hold the traffic. There was no one present who wished to speak in favor of or in opposition to the proposed rezoning and development plan.

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN RA DISTRICT TO A P.O.D. DISTRICT.

MAP NO. E-3

COUNCILMANIC DISTRICT NO. 4



ZONING:

RA RESIDENCE 'A'

LAND USE:

- ☐ SINGLE FAMILY
- ☒ MULTI-FAMILY

SCALE: 1"=200'

DATE: 4-1-87



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 14, 1987 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-87-04-15; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 20, 1987.

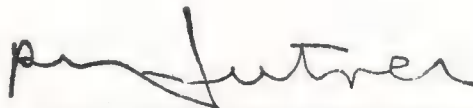
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 27, 1987.

Certified and signed this
29 day of July 1987.



Robert Hutner
Secretary

Rezoning Petition # 265

Gary Cappelli, attorney for Steven A. Hobbs, agent for Lennard R. Holland, requests a change of zone from RA to P.O.D.

Location: 5015 North Bend Drive

Legal: See file

Land Area: Approximately 0.83 Acres

Zoning: RA

Surroundings: North RA Single Family Residential
South RA Single Family Residential
East RA Residential
West RA Single Family Residential

Reason: Professional Office Development

Neighborhood Assoc.: Reckeweg Road Assn
Westmoor Park Assn

Landscape: No comment.

Comprehensive Plan: The General Land Use Policies of the Comprehensive Plan state that rezonings and development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area to be developed. The Goal in the West Sector, where this request is located, is to contain urban growth within the urban service line.

Neighborhood Plan: No comment.

Planning Staff Discussion:

The West Jefferson Blvd. area has been reviewed by the Plan Commission in the past, and the Commission has determined that office uses would be acceptable in this area. This parcel has frontage on both North Bend Drive and on West Jefferson Blvd.

The Plan Commission, and the staff, have always held a high regard for the preservation of residential neighborhood integrity, and have required certain conditions to be met in approving petitions that may effect that integrity. In this matter, we are greatly concerned with preservation of the single family residential life style located north, and west.

Petition #265

The Commission should be aware that there is a Board of Zoning Appeals approval for a medical clinic, for the parcel immediately east of this one. It would appear that development will take place on that parcel this summer. With the knowledge of that potential development, and the Plan Commission's policy for this area, a POD would be beneficial to the residents.

A P.O.D. is a planned designation that requires Plan Commission approval of the site development plan, and that can be used to buffer less intense uses from those more intense. This development can buffer the residential area north from the commercial development along West Jefferson Blvd., thereby helping to preserve the residential integrity of the Westmoor Addition and Reckeweg Road residential areas.

Recommendation: Conditional Approval, contingent upon the petitioner satisfying the following items:

- 1) The access to North Bend Drive must be removed.
- 2) Petitioner is to provide a recorded document, in a form acceptable to the Commissions attorney, agreeing to the following:
 - a) Petitioner shall grant a 40 foot wide ingress/egress easement along the front of subject property, to be used as a frontage road;
 - b) Petitioner shall construct, and maintain, such frontage road to applicable City standards;
 - c) Any driveways shall be subject to review and closure, by the owner, at the discretion of the Traffic Engineering Dept.;
 - d) Any obstructions to the frontage road, including sight obstructions, shall be removed at the owners expense.



COMMUNITY DEVELOPMENT AND PLANNING
LAND USE MANAGEMENT
Division of Community Development & Planning

29 March 1988

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one
(1) ordinance concerning the vacation of a utility easement.

The proposed ordinance is designated as:

BILL NO. G-88-03-24

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
29th day of March 1988.

Robert Hutner
Secretary



FACT SHEET

G-88-03-24

BILL NUMBER

**Division of Community
Development & Planning****BRIEF TITLE**

Utility Easement Vacation

APPROVAL DEADLINE**REASON****DETAILS****Specific Location and/or Address**

3' Utility Easement running N/S along the
East property line of 2712 Poinsette Dr.

Reason for Project

Encroachment discovered in title search.

Discussion (Including relationship to other Council actions)

21 March 1988 - Public Hearing

See Attached Minutes of Public Hearing

At the public hearing a motion was made seconded and approved that this request be deferred to give the petitioners a chance to work out obtaining waivers from the utility companies to allow them to encroach into the easement rather than to vacate the easement.

A letter was submitted by the petitioners on March 27, 1988 requesting that the vacation petition be WITHDRAWN.

POSITIONS**RECOMMENDATIONS****Sponsor**

City Plan Commission

Area Affected

City Wide

Other Areas

**Applicants/
Proponents****Applicant(s)**

Bob & Diane Hall
City Department

Other

Opponents**Groups or Individuals**

Basis of Opposition

**Staff
Recommendation**

☐ For ☒ Against

Reason Against

overhead utility lines
located in easement

**Board or
Commission
Recommendation****By**

☐ For ☐ Against
☒ No Action Taken

☐ For with revisions to conditions
(See Details column for conditions)

**CITY COUNCIL
ACTIONS
(For Council
use only)**

☐ Pass ☐ Other
☐ Pass (as amended) ☐ Hold
☐ Council Sub. ☐ Do not pass

DETAILS

POLICY/ PROGRAM IMPACT

Policy or
Program
Change

☐ No

☐ Yes

Operational
Impact
Assessment

(This space for further discussion)

Project Start

Date 19 February 1988

Projected Completion or Occupancy

Date 29 March 1988

Fact Sheet Prepared by

Date 29 March 1988

Patricia Biancaniello

Reviewed by

Date

Reference or Case Number

2/21/88

Diane Hall, petitioner appeared before the Commission. Ms. Hall presented a letter and diagrams of the property in question. The following is the contents of the letter and generally Ms. Hall statement to the Commission. "The purpose of this letter is to make you aware of the mishandling and the confusion involved in this petition. We applied for a building permit on February 16, it was denied. At that time we were informed about the utility easement, and the encroachment. We went to the Plan Commission office on February 16, we were informed at that time in order to rectify this we were to obtain a release of partial utility easement from all the utility companies by Max VanCamp. We started on this right away and had worked on it for 2 days. Then during a conversation with Pat Biancaniello we were informed not to do this it was the wrong procedure. Greg Purcell said we needed to file this petition with the City and we had to pay a \$100.00 filing fee. We then went to the Citizens Advocate office to try to get someone to explain to us what was going on, because

Minutes
21 March 1988

by this time we were having problems with the Plan Commission. She called Gary Baeten, he said the petition filing was the proper procedure and not to contact the utility companies. We then filed the petition and paid \$100.00 on February 23. We were then informed of the time involved and the procedures after filing. On March 9 the public hearing sign was installed, March 14, the letter informing us of the hearing for March 21 was received. On March 15 at 4:00 P.M. Wayne O'Brien called our home he spoke to Bob (Bob Hall co-petitioner) for about 45 minutes. He called to inform us he was going to recommend a do not pass on our petition. His reason was that we were using the wrong procedure again, that we should not have filed this petition, but should have followed the initial procedure we had started out with. During the course of this conversation Wayne O'Brien proceeded to tell Bob he had not come out to our property to inspect the problem site, but had pulled into a street (Henry Street) 3 lots over to look across at our property. The view from there is nearly impossible and very misleading. He then said it was not possible to building on the side of our house. We want to build on the back of the house.

He then recommended that we not appear at the meeting and write a letter stating our withdrawal of the petition. He said the board followed his recommendation 95% of the time. He also informed us we needed to file for an encroachment permit from the utility companies, then to file another type of petition with the zoning board for a variance at a cost of \$50.00, then if these forms passed we should be able to receive a building permit. After this conversation. Bob called Pat Biancaniello to find out about obtaining these forms. She informed him she had worked there for 16 years and had never heard of an encroachment permit from the utility companies. She said even if we could do this and it passed, this didn't mean she would give us a permit to build unless we signed a waiver of liability with the city and still with all of this even if it passed they still had the power to deny the building permit.

That evening Bob contacted the VP of our neighborhood association, Lavon Reader and City Councilman Thomas Henry, to see if they could be of any help in this mess. Mrs. Reader spoke to Mr. O'Brien and tried to get him to come out to our property on March 16, he would not. Mr. Henry said he would get back with us but did not. On March 17, I went to the Boar of Zoning Appeals to speak to Rick Kunkel as told to by Wayne O'Brien. Mr. Kunkel said he had nothing to do with this and didn't understand why I was sent to him. I told him I was there to talk to him about an encroachment permit and variance. He said he had no

Minutes
21 March 1988

jurisdiction over this matter and had worked there 18 years and never heard of an encroachment permit. I then asked him to introduce me to Mr. O'Brien. I asked Mr. O'Brien why all this was happening. He told me again we were following the wrong procedure and his recommendation was no pass. I asked him why he hadn't come to our property. He said it wouldn't make any difference. Mr. Kunkel at that time showed Mr. O'Brien our survey and pointed out that the easement lay on the property line of our adjoining lot and that our building plans were legal and within the proper limits.

At that time Mr. O'Brien admitted he could not tell from where he viewed our property that the adjoining lot was ours, this is pretty hard to miss being as this is our back yard and it is entirely enclosed by a chain link fence. We have 3 lots making up our property. I asked him again at this point to come to our house and look at the yard and house, he again said it made him no difference he was recommending DO NOT PASS, and the board would follow his recommendation. So I contacted I&M that afternoon. The following morning Mr. Householder from I&M called me at work this was March 18 to inform me there is no such thing as an encroachment permit. The only thing they issue is the letter they sent us in February.

I would also like to point out that we have made notes and markings on the letters that the Plan Commission sent out as to mistakes and misstatements. We have since this time spoke to the other utility companies, except Comcast Cable and there is no objection from them. Also they were not properly informed of the purpose of the petition by the Plan Commission.

We strongly feel that this problem has been mishandled by those involved, and has cost us unnecessarily in time lost from work, private time, and in the filing fee if this truly is the wrong procedure once again. All we want to do is improve our home and take care of the encroachment problem. Both of these things affect no other property other than our own.

Bob & Diane Hall"

Robert Warrington stated it seemed to him that I&M would need the air space for their wires. He stated also that they should obtain title insurance to insure against forced removable because of the encroachment in the easement.

Ms. Hall stated that they already have the insurance. Ms. Hall stated they have also talked to I&M, GTE & Comcast Cable and they

8

Minutes
21 March 1988

have no problem with the encroachment. She stated she is expecting letters from these companies to that effect.

Mark Gensic questioned if anyone else is served by these lines.

Ms. Hall stated that the power lines run all the way from Goshen Road through all of the properties all the way up to West State Street.

Gary Baeten, Senior Planner with CD&P stated that he could clarify some of the confusion. He stated that the process for vacation is the process that was followed. He stated that there is only one way in the State of Indiana to vacate an easement and that is through this process. He stated that if you want the right to encroach in an easement that is an entirely different matter. He stated that you get the right to encroach in the easement by getting permission from those people who have the right to enter that property. He stated there was two processes you can take you pick but you cannot take half of one or half of the other. He stated that they filed a petition to vacate, they called the office they were told to get waivers.

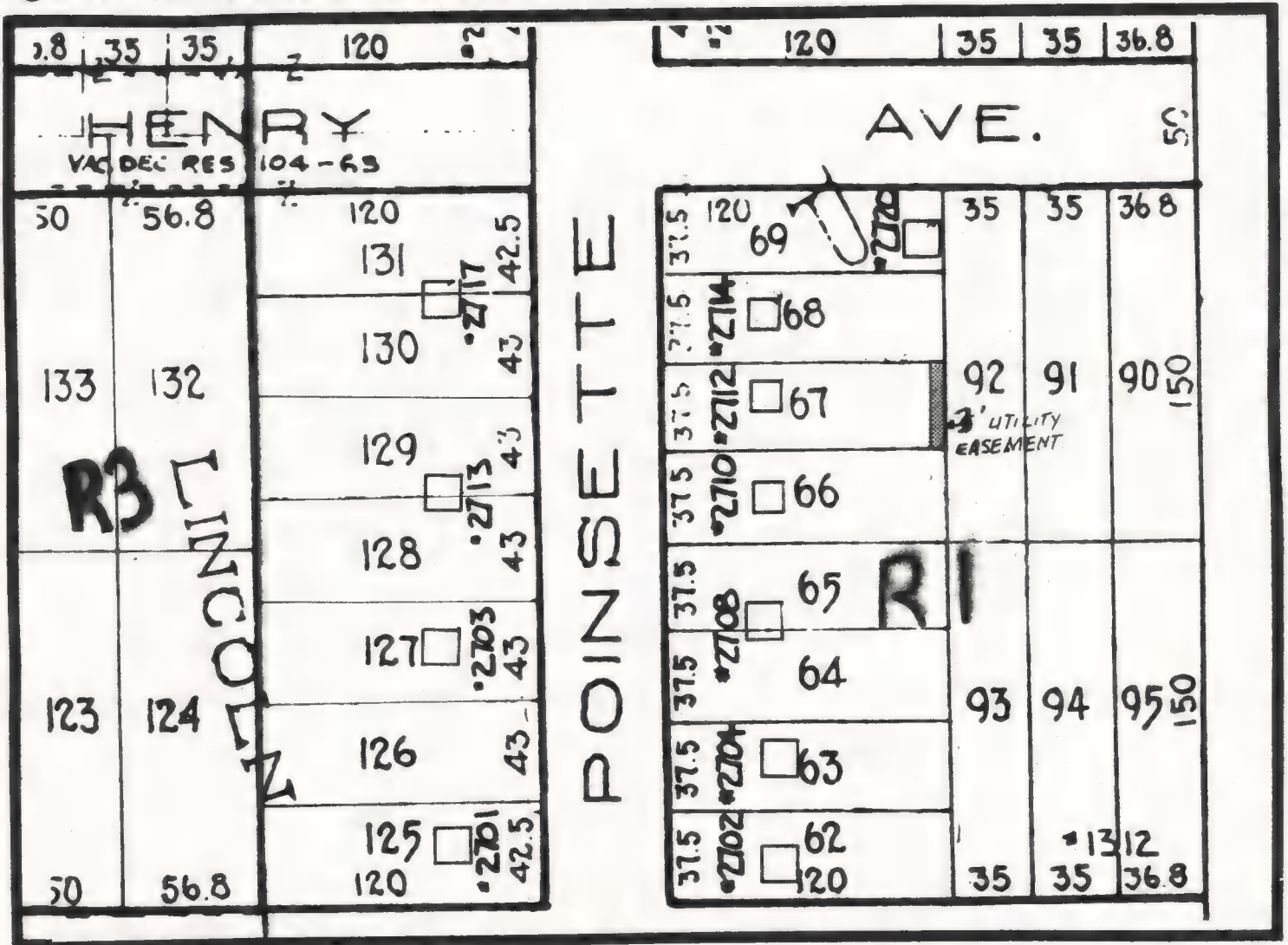
John Shoaff stated that he gathered from what he had heard that the petitioners should proceed with the encroachment waiver process, which they had already undertaken, presumably that could lead to the resolution of the problem.

Gary Baeten stated that when they have all of the waivers they would have to supply the Land Use Management Office with copies of them so that we had some guarantee that they had the right to encroach. He stated that they could then simply write a letter to the Commission withdrawing the vacation request.

Following discussion a motion was made and seconded to defer the request until such time as the petitioners can work out the waivers with the utilities in the easement. Motion carried.

A. PETITION TO VACATE THE DESCRIBED PUBLIC UTILITY EASEMENT.

COUNCILMANIC DISTRICT NO. 3



R1 RESIDENTIAL DISTRICT
R3 RESIDENTIAL DISTRICT

☐ SINGLE FAMILY

DATE: 2.29.88



March 27, 1988

Board of Plan Commission,

Please be advised that Bob & Jane Hall, of 2712 Poinsett Dr. Ft. Wayne, have this day decided to halt the petition for Vacation of dedicated Utility easement, that came before your board on Mar. 21, 1988. At that time this matter was deferred. We have been told by your board, and the Plan Commission office that this is no longer needed in order to obtain a building permit for our property. We are now in the process of receiving letters from the involved utilities in order to receive the building permit.

Bobley & Hall
Jane & Hall

Bobby E. and Diane Hall request the vacation of a portion of a utility easement.

Location: Rear of 2712 Poinsette
Legal: See File
Land Area: Approximately 112.5 Square Feet
Zoning: R-1
Surroundings: This immediate area is zoned R-1.
Reason for Request: Encroachment discovered in title search.
Neighborhood Assoc.: Lincoln Park Civic

Neighborhood Plan: No Comment.
Comprehensive Plan: No Comment.
Landscape: No Comment.

Planning Staff Discussion:

Petitioners state that the easement was platted in 1928 prior to the area being annexed into the city, and that they have been joined by the adjacent property owner in this petition.

It has not been the policy of the Plan Commission to recommend approval of a vacation request when its sole purpose is to clear up a building encroachment. In this case, there is an overhead utility that appears to be located in this easement. If the Commission were to recommend approval, it would be with the condition that the petitioner pay for the cost of relocation of the utility.

As the overhead appears to serve more than the petitioners property, relocation may be an extremely expensive, and unwarranted option. We would suggest the petitioners approach the utilities involved and request an encroachment agreement, thereby eliminating the need to vacate.

Recommendation: Do Not Pass

- 1) There is a utility or utilities located overhead in this easement.
- 2) The easement would appear to be necessary to the continued servicing of adjacent properties.
- 3) If the easement were to be vacated, the petitioner should be required to grant a new easement (defeating the purpose of the petition), or pay for the cost of relocation of the utilities.



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

29 March 1988

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a portion of dedicated street.

The proposed ordinance is designated as:

BILL NO. G-88-03-23

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
29th day of March 1988.

Robert Hutner
Secretary

FACT SHEET

G-88-03-23

BILL NUMBER

**Division of Community
Development & Planning****BRIEF TITLE**

Street Vacation Ordinance

APPROVAL DEADLINE**REASON****DETAILS****Specific Location and/or Address**

Hanna Street south of Prospect Avenue
intersection.

Reason for Project

Not Given

Discussion (Including relationship to other Council actions)

21 March 1988 - Public Hearing

John Shoaff, President of the Commission stated that the petitioner had submitted a written request for a months deferral. He stated the reason was a scheduling conflict which prevented him from being at the meeting that evening. No motion was made and the request for deferral was denied.

Merle Goodin, 723 Wagner Street appeared in opposition to the request. He stated that he never goes out Wagner onto Spy Run Avenue because if the configuration of Spy Run. He stated that he always goes up Hanna Street and turns on Prospect to Spy Run, because it is a better view of Spy Run. He stated that he felt it was unsafe to pull off of Wagner onto Spy Run because of the curve. He also presented a petition with 12 names of residents opposed to the request.

Elsie Jacox, 702 Prospect Av, stated that this vacation was part of a bus route. She stated that she felt this portion of Hanna was also needed for an emergency route.

POSITIONS**RECOMMENDATIONS****Sponsor**

City Plan Commission

Area Affected

City Wide

Other Areas

**Applicants/
Proponents**

Applicant(s)
Kirk Kassing
City Department

Other

Opponents

Groups or Individuals
Merle Goodin, Elsie Jacox,
Carolyn Tracy

Basis of Opposition

-street necessary for ingress,
egress;
-street needed for emergency
route

**Staff
Recommendation**

☐ For ☒ Against

Reason Against

-would impact convenience of
existing access routes used
by citizens of Fort Wayne

**Board or
Commission
Recommendation**

By

☐ For ☐ Against
☒ No Action Taken

☐ For with revisions to conditions
(See Details column for conditions)

**CITY COUNCIL
ACTIONS
(For Council
use only)**

☐ Pass ☐ Other
☐ Pass (as
amended) ☐ Hold
☐ Council Sub. ☐ Do not pass

DETAILS

POLICY/PROGRAM IMPACT

Name of person in opposition inaudible. She stated that she had lived with Mrs. Jacox last summer. She stated that Hanna is the only cross street connecting Wagner with Prospect. She stated that to her that is a route that is really needed. She stated that parking is always at a premium in the area and that there is parking on only one side of Prospect.

Carolyn Tracy stated that the street is used by many of the area residents. She stated that at the last neighborhood association meeting the petitioner had met with the Board and only the Board to explain why he was requesting the vacation.

Robert Hutner questioned if the association had voted on the issue.

Ms. Tracy stated that no one in the association knows what the Board's decision was.

There was no one else present who wished to speak in favor of or in opposition to the proposed vacation.

28 March 1988 - Business Meeting

John Shoaff stated that he had spoken with the petitioner and Mr. Kassing was requesting that the vacation request be WITHDRAWN.

Motion was made by Robert Hutner, seonded by Mel Smith to Withdraw the petition.

Of the seven (7) members present six (6) voted in favor of the motion one (1) did not vote. Motion carried.

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start

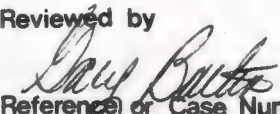
Date 19 February 1988

Projected Completion or Occupancy

Date 29 March 1988

Fact Sheet Prepared by
Patricia Biancaniello

Date 29 March 1988

Reviewed by

Reference or Case Number

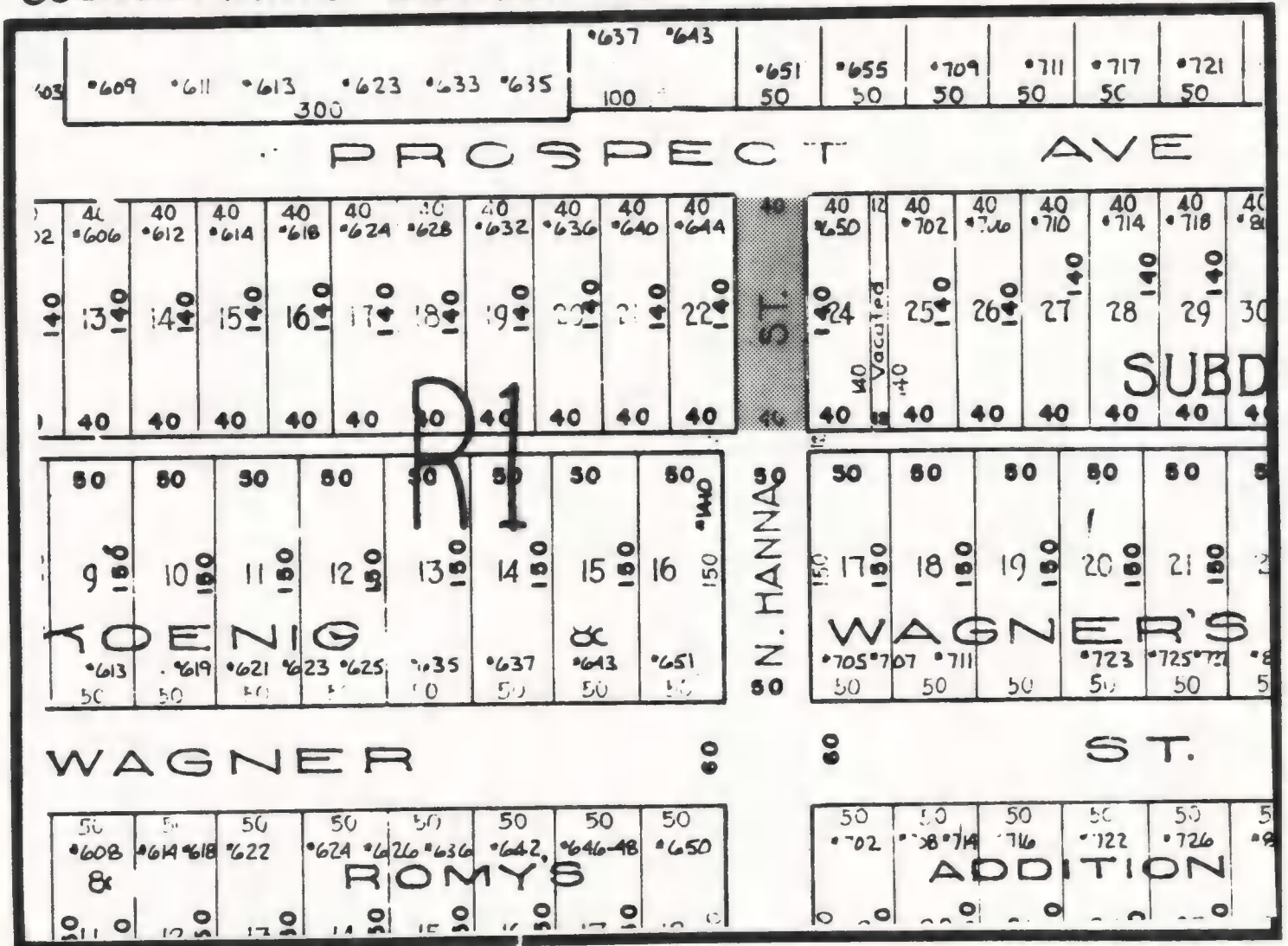
Date 3/31/88

VACATION PETITION #331

A PETITION TO VACATE THE DESCRIBED PUBLIC STREET.

MAP NO. N-10

COUNCILMANIC DISTRICT NO. 3



ZONING:

RI RESIDENTIAL DISTRICT

LAND USE:

☐ SINGLE FAMILY

SCALE: 1"=100'

DATE: 2-29-88



Kirk & Michele Kassing request the vacation of a portion of a public street.

Location: Hanna Street south of the Prospect Ave. intersection.

Legal: See File

Land Area: 40 X 140 feet (5600 Sq. Ft.)

Zoning: Does Not Apply

Surroundings: This area is zoned R-1

Reason for Request: Not stated.

Neighborhood Assoc.: Spy Run Civic Association

Neighborhood Plan: This location is within the area identified as the Spy Run Neighborhood Strategy Area in the 1985-87 Community Development and Housing Plan. The plan for Spy Run NSA encourages "the provision...of adequate public facilities."

Comprehensive Plan: No Comment.

Landscape: No Comment.

Planning Staff Discussion:

Petitioners state that the vacation would not impact access to other properties, nor affect other land owners. They further state that this street is in bad repair, and that its maintenance is not necessary to the growth of the city.

North Hanna Street is a "T" intersection at Prospect Ave. Numerous cars access this portion of Hanna Street as a convenient means of access to other properties or streets. Vacation of this portion of North Hanna Street would impact the convenience of access, and hinder the use of existing roadways. For those reasons, vacation would not be in the best interest of the citizens of Fort Wayne.

Recommendation: Do Not Pass

1) Vacation of this portion of the street would hinder the use of the existing street network in this area.

2) Approval would impact the convenience of existing access routes used by citizens of Fort Wayne.

3) Approval would appear to have a limited benefit, far under the benefit of maintaining this right-of-way.

March 23, 1988

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public
Safety Regulatory Resolution Numbers:

16/88/E, 17/88/E, 18/88/E, 19/88/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolution(s) a matter of record and
incorporate them into the minutes of the next Common Council
meeting.

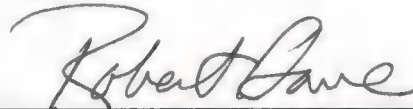
Respectfully submitted,

 , Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 16/88/E
 17/88/E
 18/88/E
 19/88/E

I hereby certify that I did this 23rd. day of March, 1988 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution Nos. 16/88/E, 17/88/E, 18/88/E, 19/88/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1986.



CHAIRMAN, BOARD OF PUBLIC SAFETY

REGULATORY RESOLUTION NO. 16/88/ E

(Adopted March 23, 19 88)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to:

DELETE: NO PARKING (EMERGENCY)

_____; and,
WHEREAS, the City Traffic Engineer has, by written memorandum dated March 15, 19 88, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective:

March 23, 19 88, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE:
NO PARKING (EMERGENCY)

Hayden Street

--South Side--

from Chute Street
to Ohio Street

REGULATORY RESOLUTION NO. 17/88/ E

(Adopted March 23, 19 88)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to:

RENEW & EXTEND REG. RES. 1/88/E:

NO PARKING (EMERGENCY)

_____; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated March 21, 19 88, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective:

March 23, 19 88, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Hanna Street

--Both Sides--

from Tillman Road
to the South City
Limits

REGULATORY RESOLUTION NO. 18/88/ E

(Adopted March 23, 19 88)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to:

RENEW & EXTEND REG. RES. 3/88/E:

STOP INTERSECTION (EMERGENCY)

_____; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated March 21, 19 88, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective:

March 23, 19 88, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Van Buren Street
Nelson Street

--Stop--
--Stop--

For Lavina Street
For Stophlet Street

REGULATORY RESOLUTION NO. 19/88/ E

(Adopted March 23, 19 88)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to:

RENEW & EXTEND REG. RES. 3/88/E:

STOP INTERSECTION (EMERGENCY)

_____; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated March 21, 19 88, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective:

March 23, 19 88, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Holton Street	--Stop--	for Colerick Street
Lillie Street	--Stop--	for Colerick Street
Winter Street	--Stop--	for Colerick Street

March 30, 1988

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public
Safety Regulatory Resolution Numbers:

20/88/D, 21/88/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolution(s) a matter of record and
incorporate them into the minutes of the next Common Council
meeting.


Respectfully submitted,

 , Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 20/88/D
 21/88/E

I hereby certify that I did this 30th. day of March, 1988 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution Nos. 20/88/D, 21/88/E, of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1986.



CHAIRMAN, BOARD OF PUBLIC SAFETY

REGULATORY RESOLUTION NO. 20/88/D

(Adopted March 30, 1988)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-31 of said chapter delegates to this Board authority to _____

NO PARKING 7 AM - 4PM SCHOOL DAYS ONLY (DELEGATED)

_____; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated March 21, 19 88, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-31 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

March 30, 19 88, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING 7 AM - 4 PM SCHOOL DAYS ONLY (DELEGATED)

Union Street	--West Side--	from Jefferson Blvd. to the first alley North thereof
--------------	---------------	--

REGULATORY RESOLUTION NO. 21/88/ E

(Adopted March 30, 19 88)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to:

NO PARKING (EMERGENCY)

_____ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated March 22, 19 88, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective:

March 30, 19 88, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Clayton Avenue

--South Side--

from Sherman Blvd.
to 165' West
thereof

April 6, 1988

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public
Safety Regulatory Resolution Numbers:

22/88/E, 23/88/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolution(s) a matter of record and
incorporate them into the minutes of the next Common Council
meeting.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Robert D. Smith", is written over the printed name.

, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 22/88/E
 23/88/E

I hereby certify that I did this 6th. day of April, 1988 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution Nos. 22/88/E, 23/88/E, of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1986.



CHAIRMAN, BOARD OF PUBLIC SAFETY

REGULATORY RESOLUTION NO. 22/88/ E

(Adopted April 6, 19 88)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to:

RENEW & EXTEND REG. RES. 8/88/E:

NO PARKING (EMERGENCY)

; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 4, 19 88, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective:

April 6, 19 88, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Reynolds Avenue --North Side-- from 220' east of Edsall Avenue to 190' east of Birchwood Avenue

REGULATORY RESOLUTION NO. 23/88/ E

(Adopted April 6, 19 88)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to:

RENEW & EXTEND REG. RES. 2/88/E:

NO PARKING (EMERGENCY)

_____; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 4, 19 88, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective:

April 6, 19 88, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Van Buren Street

--East Side--

from Jefferson
Boulevard to 180'
south thereof

April 13, 1988

President of the Common Council
City of Fort Wayne, Indiana

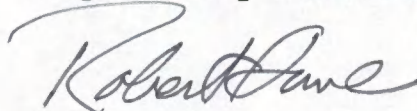
Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public
Safety Regulatory Resolution Numbers:

24/88/D

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolution(s) a matter of record and
incorporate them into the minutes of the next Common Council
meeting.

Respectfully submitted,

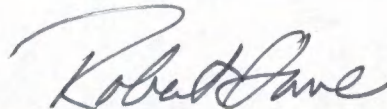
A handwritten signature in cursive script, appearing to read "Robert H. Lane".

, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 24/88/D

I hereby certify that I did this 13th. day of April, 1988 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution Nos. 24/88/D, of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1986.



CHAIRMAN, BOARD OF PUBLIC SAFETY

REGULATORY RESOLUTION NO. 24/88/D

(Adopted April 13, 1988)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-31 of said chapter delegates to this Board authority to _____

NO PARKING _____ (DELEGATED)

_____ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 08, 19 88, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-31 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

April 13, 19 88, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING _____ (DELEGATED)

McClellan Street --West Side-- from Lewis Street
to 80' south
thereof